

S.B.Cr.Misc. Bail App. No. 5539/2007
(Sanjay & Anr. Vs. State of Rajasthan)

Date of order : 04/12/2007

HON'BLE MR.H.R.PANWAR, J.

Mr. A.K.Rajvanshy for the petitioners.
Mr. Ashok Upadhyay, Public Prosecutor.
Mr. Manoj Rathore for the complainant.

Heard learned counsel for the petitioners and the Public Prosecutor for the State as also counsel appearing for the complainant.
Perused the order impugned and police investigation diary.

Even according to the police, in the remand papers, the police did not find case for the offence under Section 379 IPC. Most of the offences i.e. 143, 427, 323, 504 and 354 IPC are bailable and in order to make the case non-bailable, Section 452 IPC appears to have been added as stated by counsel for the petitioner.

Looking to the facts and circumstances of the case and having considered the oral arguments advanced by both the parties, without commenting on the merit of the case, I think it just and proper to enlarge the accused petitioners on bail.

Accordingly, this bail application filed under Sec. 439 Cr.P.C. is allowed and it is directed that petitioners Sanjay S/o Shri Ram Singh and Pawan Kumar S/o Ramvatar be released on bail in FIR No. 190/07

P.S. Hameerwas, district Churu, provided each of them executes a personal bond for a sum of Rs. 20,000/- with two sound and solvent sureties in the sum of Rs. 10,000/- each to the satisfaction of learned trial court for their appearance before that court on each and every date of hearing and whenever called upon to do so till the completion of the trial.

(H.R.PANWAR), J.

RP